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4 Attorney for Defendant HENRY WEISS

5 UNITED STATES DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA
7

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 HENRY WEISS,

12 Defendant.
13

No. CR-15-478 RS

**STIPULATION & ~~PROPOSED~~ ORDER
TO MODIFY PRETRIAL RELEASE
CONDITIONS**

14 Defendant herein, HENRY WEISS, is on pretrial release; presently, one of the conditions
15 of his release is that he not use or possess any narcotic or controlled substance without a legal
16 prescription. The Court has also ordered Mr. Weiss to submit to drug testing by Pretrial Services.
17 While on pretrial release, Mr. Weiss has had one positive UA test for marijuana in January of last
18 year. He has tested cleanly in all subsequent drug tests. He has complied with all other
19 conditions of his release.
20

21 Mr. Weiss has recently obtained new employment as a trainee/apprentice pile-driver. In
22 his new position, he works from 6:30 a.m. to 5:30 p.m. every day except Sunday. He has no
23 significant breaks or phone access during work hours. He has no holidays and no days off except
24 Sunday. His present job site is at the Facebook campus in Menlo Park. Due to Mr. Weiss' work
25 schedule and the logistics of his commute, it will be nearly impossible for him to get to his
26 Pretrial Services officer, Josh Libby, for drug testing during the window when those tests are
27 conducted. Defense counsel contacted Mr. Libby, and he informed defense counsel that Pretrial
28

1 Services is in support of a Court order removing the drug-testing condition from Mr. Weiss'
2 conditions of release.

3 Defense counsel has also contacted the AUSA handling this case, Frank Riebli, and he has
4 no objection to this proposed modification.

5 As such, defendant is requesting that the court modify Mr. Weiss' conditions of pretrial
6 release to remove the condition requiring Mr. Weiss to submit to drug testing.

7 It is hereby stipulated by Stuart Hanlon, attorney for defendant herein, Henry Weiss, and
8 Frank Riebli, Assistant U.S. Attorney, that Mr. Weiss' pretrial release conditions be modified to
9 remove the condition requiring Mr. Weiss to submit to drug testing. All other conditions of
10 pretrial release remain the same.

11 Pretrial Services Officer Josh Libby has no objection to this modification.

12 Dated: January 11, 2016

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19 Dated: January 11, 2016

20 s/Frank Riebli
21 Assistant U.S. Attorney
22 Office of the U.S. Attorney

23 **ORDER**

24 Good cause having been shown by stipulation of the parties herein,

25 **IT IS HEREBY ORDERED** that Mr. Weiss' pretrial release conditions be
26 modified to remove the condition requiring Mr. Weiss to submit to drug testing. All other
27 conditions of pretrial release remain the same.

28 Dated: January 13, 2017

HON. MAGISTRATE JUDGE ROBERT J. ZIMMERMAN

